REMARKS

In response to the Official Action of February 6, 2007, claims 21-28 have been amended in a manner which is believed to overcome the rejection of said claims as directed to non-statutory subject matter under 35 USC §101.

Newly submitted claim 29 corresponds to claim 1 but is written using means plus function terminology.

Claim Rejections - 35 USC §101

At paragraph 3 of the Action, claims 21-28 are rejected under 35 USC §101 as directed to non-statutory subject matter. The claims have been amended to recite a computer program product comprising program code stored in a memory for generating a virtual keyboard on a display when said program code is executed by a processor. As such, the claims are now believed to be directed to statutory subject matter.

Claim Rejections - 35 USC §102

At paragraph 5, claims 1-28 are rejected under 35 USC §102(b) as anticipated in view of US patent 6,295,052, Kato, et al (hereinafter Kato). It is asserted that Kato teaches a device for inputting information which has a display and a memory and that the memory comprises a first set of characters and a second set of characters. It is asserted by the Office that the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in the second set of characters, relying upon Figure 23, labels 20A, 20B, 26 and 27, as well as column 27, lines 7-11, 22-28 and 33-43. Applicant respectfully disagrees.

More particularly, as set forth in the specification of the present application at page 6, lines 26-37, the characters in the first set of characters are described as being statistically more likely to be selected in successive order than the characters in the

second set of characters. The recited portion of the specification goes on to state that this means that for each of the characters in the first set of characters, there is at least one other character among the characters in the first set of characters which has a high likelihood of being selected by the user either directly before or directly after the character in question, compared to a corresponding successive selection of a first and second character among the characters in the second set of characters. This gives rise to the ability of the present invention to display a first set of characters that are statistically more likely to be selected in successive order such as those shown in Figure 2a for a first set of characters (202) as compared to the characters in a second set of characters (203). This gives rise to the ability to display the first set of characters on a display of limited size with the understanding that the characters shown are more likely to be successively selected than the characters in the second set of characters. The overall result is increased efficiency in selecting characters on a display with limited size. It is from this premise that claim 1 sets forth a device for inputting information.

Unlike the present invention as claimed, Kato does not describe that the different sets of characters that are displayed are configured such that they contain characters that are grouped based on the likelihood of a character being selected in successive order. Kato only describes a more general statistical criterion regarding which characters to display; that is, the frequency of the overall use of different characters, perhaps based upon a given language.

In particular, column 27, lines 7-10 of Kato states that the main key area (20) in the standard key arrangement is arranged in consideration of used frequency of vowel and consonant of alphabets in the Roman character input. The arrangement of the vowels as described in Kato at column 27, lines 33-47, is to arrange the vowels so that in the middle rank, as shown by reference numerals 26 and 27, characters "I" and "A" are shown which are statistically more likely to be selected than the vowels shown in the top rank (vowels "E" and "U") and the vowels in the bottom rank (the syllabic nasal

vowel sound and the letter "O"). There is no intimation whatsoever that the vowel key area (20A) (which the Office asserts is a first character set) and the consonant key area (20B) (which the Office asserts is a second character set) are such that the characters in the second character set are less likely to be selected in successive order than the vowel character set. It is only the characters in each character set with regard to the middle, upper and lower ranking which are arranged based upon statistical usage of a key. However, there is no statement in Kato that the arrangement of keys in the middle, upper and lower ranks of the vowel key area (20A) and the consonant key area (20B) are arranged such that they are statistically more likely to be selected in successive order than characters in another rank of the same vowel key area or consonant key area.

In summary, Kato does not disclose or suggest that the characters in the vowel key area (20A) are statistically more likely to be selected in successive order than the characters in the consonant key area (20B). Furthermore, the grouping of the characters in the vowel key area and the consonant key area does not in any way disclose or suggest that the character selected in the various ranks are selected based upon the characters in the rank being statistically more likely to be selected in successive order than characters in the other ranks.

It is therefore respectfully submitted that a principal feature of the present invention; namely, that the characters in the first set of characters are statistically more likely to be selected in successive order than the characters in a second set of characters, is neither disclosed nor suggested by Kato.

It is therefore respectfully submitted that claim 1 is not anticipated by Kato.

For similar reasons, independent method claim 12 and independent computer program product claim 21 are also not anticipated by Kato since each of these claims recite features corresponding to claim 1 as discussed above.

Since each of the independent claims of the present application are not anticipated by Kato, it is respectfully submitted that the dependent claims thereto are further not anticipated by Kato.

Finally, independent device claim 29, which corresponds to device claim 1 but written using means plus function terminology, is also not anticipated by Kato for the same reasons as those presented above with respect to claim 1.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

Dated: June 1, 2007

Alfred A. Fressola
Attorney for Applicant
Registration No. 27,550

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955